UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
08 JUL 28 AM 11:01
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Arnulfo Manuel GONZALEZ-Ruiz,** Defendant	)	Magistrate Docket No. '08 MJ 2275 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **July 25, 2008** within the Southern District of California, defendant, **Arnulfo Manuel GONZALEZ-Ruiz,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 28th DAY OF **JULY, 2008**

Jan M. Adler
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Arnulfo Manuel GONZALEZ-Ruiz

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

Agents assigned to the San Diego Sector, Smuggling Interdiction Group, Criminal Alien Squad (SIG/CAS) utilize various sources to locate and arrest previously deported criminal aliens who have returned to the United States in violation of the Immigration and Nationality Act.

Through record checks, SIG Agents discovered that defendant **GONZALEZ-Ruiz, Arnulfo Manuel**, a previously deported criminal alien, was possibly residing at Flinn Springs Rd., Chula Vista, California. Record checks also revealed that the defendant presented himself to California Department of Motor Vehicles on April 02, 2008 in order to obtain a California Drivers License.

On July 25, 2008 SIG/CAS Agents conducted surveillance at Flinn Springs Rd., Chula Vista, California, based on information received that the defendant was back in the United States illegally and possibly residing at the above address. At approximately 6:35 a.m., Agents, Blas, Aguilar and Weatherred observed a man matching the description and likeness of the defendant leaving Flinn Springs Rd to enter his vehicle. Agent Weatherred, Agent Blas and Agent Aguilar approached the subject and identified themselves as United States Border Patrol Agents. The Agents questioned the subject as to his identity and his immigration status. The defendant stated that he was in fact GONZALEZ-Ruiz, Arnulfo Manuel. Agents asked the defendant about his citizenship and nationality. The defendant stated that he was born in Tijuana, Baja, California Mexico. Agents questioned him if he had any immigration documents that would allow him to enter or remain in the United States legally. The defendant stated that he did not. At approximately 6:40 a.m., on July 25, 2008, the defendant was arrested and transported to the Chula Vista Border Patrol Station.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **January 06, 2005** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on July 26, 2008 at 10:00 am.

Irene S. Aguirre
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on July 25, 2008, in violation of Title 8, United States Code, Section 1326.

Leo S. Papas
United States Magistrate Judge

7/26/08 1:30 pm
Date/Time